

# SENATE RECORD VOTE ANALYSIS

105th Congress  
2nd Session

Vote No. 146

May 22, 1998, 1:12 pm  
Page S-5390 Temp. Record

## IRAN MISSILE SANCTIONS & CWC IMPLEMENTATION/Final Passage

**SUBJECT:** Iran Missile Proliferation Sanctions Act and Chemical Weapons Convention Implementation . . . H.R. 2709. Final passage, as amended.

### ACTION: BILL PASSED, 90-4

**SYNOPSIS:** H.R. 2709, the Iran Missile Proliferation Sanctions Act and Chemical Weapons Convention Implementation Act, will require the President to impose sanctions on foreign entities that assist Iran in its missile development efforts. Iran has an aggressive ballistic missile development program. It is also known to have chemical weapons and to be working on developing biological weapons, and some published reports allege it has purchased at least 4 nuclear warheads taken from Russia's arsenal. Iranian intelligence agents have been convicted of terrorist attacks, including bombings and murder, in countries around the world. Russian firms have been very active in assisting Iran, but President Clinton has refused to apply sanctions. Sanctions will be applied against firms that have assisted Iran after January 22, 1998, which is the date on which Russia strengthened its export controls on dual-use items (items that could be used for legitimate purposes or for weapons of mass destruction and missiles). H.R. 2709 will also pass implementing legislation for the Chemical Weapons Convention that was ratified last year (see vote No. 51).

The President will be required to submit periodic reports on foreign assistance given to Iran in its missile development efforts. Each report will identify every foreign entity for which there is "credible information" that on or after January 22, 1998, that entity: transferred or attempted to transfer missile items that are listed in the Missile Technology Control Regime (MTCR); or gave or attempted to give technical assistance or facilities that directly contributed to its missile development efforts.

Every foreign entity will be sanctioned, unless the President grants a waiver from sanctions. Three sanctions will be imposed on an entity: it will be denied munitions licenses, and sales to it under the Arms Export Control Act will be terminated; exports of dual-use items to it will be prohibited; and it will be denied United States assistance in the form of grants, loans, credits, or guarantees. The President will be allowed to waive the imposition of any sanction if he decides the foreign entity did not commit

(See other side)

YEAS (90)				NAYS (4)		NOT VOTING (6)	
Republican (51 or 96%)		Democrats (39 or 95%)		Republicans (2 or 4%)	Democrats (2 or 5%)	Republicans (2)	Democrats (4)
Abraham	Helms	Akaka	Kerrey	Chafee	Biden	McCain- <sup>2</sup>	Bumpers- <sup>2</sup>
Allard	Hutchinson	Baucus	Kerry	Lugar	Rockefeller	Murkowski- <sup>2</sup>	Ford- <sup>2</sup>
Ashcroft	Hutchison	Bingaman	Kohl				Inouye- <sup>2</sup>
Bennett	Inhofe	Boxer	Landrieu				Kennedy- <sup>2AY</sup>
Bond	Jeffords	Breaux	Lautenberg				
Brownback	Kempthorne	Bryan	Leahy				
Burns	Kyl	Byrd	Levin				
Campbell	Lott	Cleland	Lieberman				
Coats	Mack	Conrad	Mikulski				
Cochran	McConnell	Daschle	Moseley-Braun				
Collins	Nickles	Dodd	Moynihan				
Coverdell	Roberts	Dorgan	Murray				
Craig	Roth	Durbin	Reed				
D'Amato	Santorum	Feingold	Reid				
DeWine	Sessions	Feinstein	Robb				
Domenici	Shelby	Glenn	Sarbanes				
Enzi	Smith, Bob	Graham	Torricelli				
Faircloth	Smith, Gordon	Harkin	Wellstone				
Frist	Snowe	Hollings	Wyden				
Gorton	Specter	Johnson					
Gramm	Stevens						
Grams	Thomas						
Grassley	Thompson						
Gregg	Thurmond						
Hagel	Warner						
Hatch							

#### EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

the sanctionable act, or if he determines and reports that such a waiver is essential to United States national security.

For each report submitted, the President will also provide information on the knowledge and actions of the government of primary jurisdiction in relation to any sanctionable act by a foreign entity. If that government knew of the act and failed to take effective efforts to prevent it, the President will be required to report any sanctions that the United States imposed as a result of that failure.

It is the sense of Congress that the President should use his authority under the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 to prevent the transfer to Iran of weapons-related material, delivery systems, and related scientific and technical expertise through purchase, barter, or other acquisition of such items.

The Chemical Weapons Convention implementing language will make it a crime for Americans to produce, use, or manufacture chemical weapons. It will also enact protections to ensure that the inspection regime will not violate American citizens' and businesses' constitutional rights against unreasonable searches and seizures and against takings without just compensation. Other provisions include that the President will be allowed to refuse an international inspection of an industrial plant if such an inspection posed a threat to national security interests, and that one routine inspection per year will be allowed at industrial plants.

**Those favoring** final passage contended:

In 12 months to 18 months, Iran is expected to have a ballistic missile that will be capable of hitting any target in the Middle East. In as little as 3 years, it is expected to have a ballistic missile that will be capable of reaching targets in Europe. It is making rapid progress in its missile development efforts because it is purchasing a great deal of technical assistance and materials from Russian institutes, research facilities, and other business entities. Many of these same entities receive United States assistance, and are involved in joint United States-Russian efforts, such as on the Space Station. President Clinton has authority to impose sanctions on the responsible entities, but he has refused. Initially, this bill would have required sanctions to be imposed on any parties guilty of aiding

